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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,215	07/24/2003	Charles Calvin Byers	42430-10684	9644
47377	7590	05/26/2006	EXAMINER	
JENNER & BLOCK LLP ONE IBM PLAZA CHICAGO, IL 60611			HUYNH, KIM T	
			ART UNIT	PAPER NUMBER
			2112	

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,215

Applicant(s)

BYERS ET AL.

Examiner

Kim T. Huynh

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-8 and 12 is/are allowed.
- 6) ☒ Claim(s) 1, 10, 11 and 13 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/25/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 10-11 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant Admitted Prior Art (AAPA)

As for claim 1, AAPA teaches an electronic system comprising: a backplane including a multi-layer circuit board with a plurality of traces and N slots for receiving circuit packs and at least N-1 sets of connection points for interconnecting the N slots one-to-the other (see figure 1), wherein each set of connection points comprises a row of connection points and each row of connection points is selected to connect via the plurality of traces to a slot that is a predetermined relative number of slots away from said slot (see figure 1 and page 4 lines 1-29 and page 6 lines 20-23, wherein each connection points of the slots 102a-102f is connected via plurality of traces of T and R of the slots and the routing assignment, where row X of slot Y connects to row Y of slot X, the backplane system 200 assigns each row of connections 204 a relative shift that determines which slot is connected to another slot at a particular row of connections).

As for claim 10, MPA teaches wherein the backplane has an interconnect topology that is a full mesh for N slots (see figure 1 and page 4 lines 21-22).

As for claim 11, AAPA teaches at least one circuit pack in the N slots, where the at least one circuit pack uses its slot position and a table of relative shift to determine a physical port to communicate with another circuit pack in the N slots (see page 4 lines 1-29).

As for claim 13, AAPA teaches a multi-layered circuit board for use in an electronic system (see figure 1) comprising: a plurality of traces for making electrical connections(see figure 1, plurality traces lines via the slots 102a-1029; N slots for receiving circuit packets', N-1 rows of connection points for interconnecting the N slots one to the other using the plurality of traces (see figure 1, slots 104a-1049; wherein each row of connection points is selected to connect a circuit packet in a slot to a slot that is a predetermined relative shift from said circuit pack (see figure 1 and page 4 lines 1-29 and page 6 lines 20-23, wherein each connection points of the slots 102a-102f is connected via plurality of traces of T and R of the slots and the routing assignment, where row X of slot Y connects to row Y of slot X, the backplane system 200 assigns each row of connections 204 a relative shift that determines which slot is connected to another slot at a particular row of connections).

Allowable Subject Matter

3. Claims 2-8 and 12 are allowable

Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

Response to Amendment

4. Applicant's amendment filed on 3/6/06 have been fully considered but does not place the application in condition for allowance.

a. In response to applicant argument that AAPA does not disclose a backplane system with a row of connection points, where each row of connection points is selected to connect via plurality of traces to a slot that is a predetermined relative number of slots away from that slot. Examiner respectfully disagrees. As AAPA notes at page at figure 1 and page 4 lines 1-29 and page 6 lines 20-23, wherein each connection points of the slots 102a-102f is connected via plurality of traces of T and R of the slots and the routing assignment, where row X of slot Y connects to row Y of slot X, the backplane system 200 assigns each row of connections 204 a relative shift that determines which slot is connected to another slot at a particular row of connections. Thus, the prior art teaches the invention as claimed and the amended claims do not distinguish over the prior art as applied.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the


shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Huynh whose telephone number is (571)272-3635 or via e-mail addressed to [kim.huynh3@uspto.gov]. The examiner can normally be reached on M-F 9:00AM- 6:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached at (571)272-3676 or via e-mail addressed to [rehana.perveen@uspto.gov].

The fax phone numbers for the organization where this application or proceeding is assigned are (571)273-8300 for regular communications and After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

Kim Huynh

May 23, 2006


REHANA PERVEEN
SUPERVISORY PATENT EXAMINER
5/24/06